

# The BLACK C o M M e n t a t o r

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## **Elections and the Quakers Who Repudiated the Doctrine of Discovery**

**Nafsi ya Jamii  
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When fundamental human differences are not resolved to the satisfaction of all parties **they will go on and on and on and on...**

Conquering one side in a war or in a competitive contest would never provide more than a temporary respite from struggle. Only voluntary agreement from participants including those most affected can lead to **resolution**; losing in a majority vote situation, even where there is prior agreement to "abide" by the majority vote, does not produce **resolution**. The losing side will consider the "loss" momentary and will almost immediately begin strategizing on how to win the next time, à la **the Republicans who met in 2008 on inaugural day to figure out how to keep Obama – the choice of the electorate – from having a successful presidency.**

The results of this present 2012 presidential election contest, regardless of the diminishingly ineffective rules, **will not resolve hardly any** of the catastrophic internecine differences we face in the U.S. We **unendingly** wallow in ignorance and frustration when we continue to believe that the so-called democratic systems we operate with are a means to resolve problems; they are simply a means to move the contest to the next battleground. There are many indigenous alternative systems of decision making that are much more successful in actually reaching ***real resolution*** and one such system that is well described and articulated is that "sense of the meeting" process offered by the Quakers (The Religious Society of Friends). Using this process, recently the New York Yearly Meeting of the Religious Society

of Friends joined the Episcopal Church in formally repudiating the **550 year old** Doctrine of Discovery at their annual Summer Sessions in Silver Bay. ***This immoral doctrine remains at the root of most of our present day difficulties in the US!***

As Wikipedia states it: "The Discovery doctrine is a concept of public international law expounded by **the United States Supreme Court** in a series of decisions, most notably *Johnson v. M'Intosh* in 1823." The decision relied on a 1455 Papal Bull (**read Catholic Fatwa**), [Romanus Pontifex](#), issued by Pope Nicholas V which allowed Portugal to claim and conquer lands in West Africa. In 1493 Pope Alexander VI extended this Catholic Fatwa to Spain after Christopher Columbus had already landed in Cuba and on the island of Hispaniola where Haiti is still being decimated. "Chief Justice John Marshall justified the way in which colonial powers laid claim to lands belonging to sovereign indigenous nations during the Age of Discovery" by the "supposedly inferior character of native cultures."

The Supreme Court decision stated that "title to lands lay with the government whose subjects explored and occupied a territory **whose inhabitants were not subjects of a European Christian monarch.**" This horrendously unjust, wrong law-of-the-land stands today primarily to blunt, ignore, and invalidate indigenous claims to land and reparations. The values underlying this law are still used today such as underlying the statement of Arkansas Republican State Representative Jon Hubbard's recent assertion that slavery was a "blessing in disguise" because it brought Africans to the superior circumstances of slave life in the US as opposed to the freedoms they would have experienced in Africa. Hubbard, as do most others in the US, discounts how stolen and otherwise accumulated labor and wealth tends to protect itself, further concentrate, and further expand in to "dynastic" status squeezing out, oppressing, and controlling less concentrated resources and natural abilities.

It is virtually **impossible to integrate** into a competitive system as an individual **and especially as a group** where everybody does not start on the same starting line and where injustice continues all along the way. The "American exceptionalists" (read racists) and the corporate monarchist keep killing and stealing.

This New York Quaker organization chose to act after two years of deliberation under the leadership of its Indian Affairs Committee, which was first formed in the late 1700s. The Friends denounced the Doctrine of Discovery as contrary to their experience of God and as a

violation of their spiritual experience of the fundamental equality of all persons; stating as follows: "We cannot accept that the doctrine of Discovery was ever a true authority for the forced takings of lands and the enslavement or extermination of peoples. It is reprehensible for the United States to use the doctrine of Discovery as a legal doctrine to compel a jurisdiction over Indigenous Peoples or their lands." The Yearly Meeting also called upon the United States Senate to "enact the legislation that will make UNDRIP [the United Nations Declaration of the Rights of Indigenous Peoples of 2007] the law of the land in the United States of America."

**The Doctrine of Discovery undergirds all US laws regarding the sanctity of property.** It is, therefore, the legal bulwark for US corporate capitalism. The United States has used the Doctrine to rationalize its dominion over its indigenous peoples throughout its history, citing the Doctrine as recently as 2005 in the U.S. Supreme Court case *City of Sherrill v. Oneida Nation of Indians*. It is at the roots of our centralized banking system which was justified by Alexander Hamilton as a way to pay for the **standing federal government army** – one of the primary things we fought the American Revolution to avoid – that was used by the new nation to enforce the takeover of Native land.

Our enormous, out of proportion military today, with more than 737 bases in 130 nations around the world and with more than 2,500,000 people in arms (**not including paid private contractors**), is simply a continuation of the implementation of the basic immoral understandings at the core of the Doctrine of Discovery: we are superior and our religious fatwa tell us we have a right to do what we please with you, your labor, and your land using our military might. It is also at the core of the value system of the US militaristic, retributive rather than restorative, mass incarceration system which has its roots in slavery and slave catchers.

Fundamental reform in the US will not arrive by the point of a gun. Neither will we get there any time soon through the election of a president nor a congress nor a governor nor a state legislature. These are all competitive contests. **By their very nature, they are not geared to resolving human differences!** The bedrock differences will almost never even see the light of day let alone be discussed in these contests.

Like the New York Yearly Meeting Society of Friends, the Episcopal Church, some parts of the Methodist Church, and other organizations,

we residents of this land will have to sit down together and spend the time that it takes, at the neighborhood block level and the storefront church level, to wrestle with these fundamental questions – not so that we can win points or defeat the other side – but so that we can come to mutual understandings and mutual agreements about how we want to live with one another. Set aside the time; turnoff the corporate capitalist television, and talk to one another about religion, politics, and life. Then we will be able tell our elected representatives what we want them to do rather than being fooled by their lies and obfuscations.

*[Note: Nafsi ya Jamii is the Swahili phrase that translates in English to "The Soul Community"]*

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